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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------|
| 10/642,500 | 08/18/2003 | Matthias Vogel | 13906-134001 / 2003P00532 | 1709 |
| 32864 7590 01/12/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022 | | | EXAMINER DADA, BEEMNET W | |
| | | | ART UNIT 2135 | PAPER NUMBER |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/12/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/642,500 | Applicant(s) VOGEL ET AL. | |
| | Examiner Beemnet W. Dada | Art Unit 2135 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/18/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>1/13/04, 8/04/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 have been examined.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 18-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 18 is directed to an access control generation program. The examiner respectfully asserts that the claimed subject matter does not fall within the statutory class listed under 35 U.S.C. 101. Claim 18 is directed to a functional descriptive material that is embodied in a signal/carrier wave. A data signal does not fall within one of the four statutory classes of 35 USC 101. Claim 18 is rejected as being directed to a data signal. Claims 19-22 depend from claim 18 and are rejected under the same rationale.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0 992,873 A2 Hashimoto et al. (hereinafter Hashimoto).

6. As per claims 1 and 18, Hashimoto teaches a computer-implemented method for generating access control information, the method comprising:

receiving an access control rule that identifies a characteristic (i.e., access-right setting pattern list) [column 7, lines 48-56 and figure 3];

identifying at least one entry in user information that is associated with the identified characteristic [column 8, lines 10-19];

identifying at least one entry in data object (i.e., content) information that is associated with the identified characteristic [column 7, lines 56-column 8, lines 10]; and

generating access control information that permits at least one user associated with the at least one entry in the user information to access the at least one entry in the data object information [column 8, lines 20-49].

7. As per claim 10, Hashimoto teaches a computer system for managing access control information for software operating on the computer system, the system comprising:

a data repository for access control information for software, the data repository including user information identifying a user characteristic for at least one entry in the user information [column 8, lines 10-19], data object information identifying a data object characteristic for at least one entry in the data object information [column 7, lines 56-column 8, lines 10], and access control rule information identifying a shared characteristic for at least one entry in the access control rule information [column 8, lines 20-49]; and

an executable software module that causes (1) a comparison of the user characteristic, the business object characteristic, and the shared characteristic and (2) generation of access control information for use in determining whether a user that is associated with an entry in the user information is permitted to access a data object that is associated with an entry in the data

object information such that when the user characteristic, the data object characteristic and the shared characteristic each correspond to one another, the user is permitted to access the data object [column 8, lines 43-column 9, lines 7].

8. As per claims 2 and 11-12, Hashimoto further teaches the method wherein, the identified characteristic is indirectly associated with the at least one entry in the user information, and identifying at least one entry in user information that is associated with the identified characteristic comprises identifying at least one entry in user information that is indirectly associated with the identified characteristic [column 8, lines 10-19 and figure 3-5].

9. As per claim 3, Hashimoto further teaches the method wherein, the identified characteristic is directly associated with the at least one entry in the user information, and identifying at least one entry in user information that is associated with the identified characteristic comprises identifying at least one entry in user information that is directly associated with the identified characteristic [column 8, lines 10-19 and figure 3-5].

10. As per claims 4-7 and 13-17, Hashimoto further teaches the method wherein, generating access control information comprises: generating user access control information that identifies the at least one entry in the user information that is associated with the identified characteristic, generating object access control information that identifies the at least one entry in the data object information that is associated with the identified characteristic, and associating at least one entry in the user access control information with at least one entry in the data object access control information [column 8, lines 20-49].

Art Unit: 2135

11. As per claims 8, 9, 21 and 22, Hashimoto further teaches the method further comprising receiving a filter condition, wherein generating access control information further comprises generating access control information by eliminating at least one entry in the user information/data object information that corresponds to the received filter condition such that access control information does not include the eliminated at least one entry in the user data object information [column 8, lines 5-39].

12. As per claims 19 and 20, Hashimoto further teaches the method wherein the one or more code segments configured to generate access control information comprise one or more code segments configured to: generate user access control information that identifies the at least one entry in the user information that is associated with the identified characteristic, generate object access control information that identifies the at least one entry in the data object information that is associated with the identified characteristic, and associate at least one entry in the user access control information with at least one entry in the data object access control information [column 8, lines 5-36].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

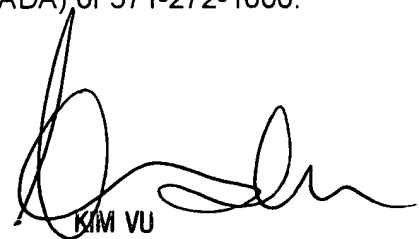
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

January 5, 2007



KIM VU
SUPERVISORY PATENT EXAMINER
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